

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

LAQUENZA M. LILLY,)
)
Plaintiff)
)
v.) No. 3:11-0061
) Judge Campbell/Brown
TENNESSEE DEPARTMENT OF)
CORRECTIONS, et al.,)
)
Defendants)

O R D E R

The Plaintiff has filed a motion entitled "Motion to Re-Entry the Motion to Add Defendants" (Docket Entry 55). The Magistrate Judge denied the Plaintiff's request to add two Defendants (Docket Entry 53). The reason the Magistrate Judge denied the motion to amend the complaint to add additional defendants was not because the Plaintiff failed to send a copy to opposing counsel. It was because the Magistrate Judge believed that it was futile to add the two additional defendants.

If the Plaintiff intends this motion to be an appeal of the Magistrate Judge's decision, he needs to clearly state that he is appealing the Magistrate Judge's decision and he must file such a notice of appeal within **14 days** of the entry of this order. To the extent the motion would request that the Magistrate Judge reconsider his previous order, it is **DENIED**.

The Plaintiff has also filed a motion requesting a jury trial and discovery requests from the Defendants (Docket Entry 56).

This motion as to a jury trial is **DENIED**. Rule 38 provides that a jury trial must be requested within 14 days after various actions have taken place. From a review of the docket sheet it appears that neither the Plaintiff nor the Defendants had requested a jury trial and, accordingly, a jury trial is not authorized.

As to the motion to secure discovery from the Defendants, the Plaintiff should follow the procedures set out in the scheduling order (Docket Entry 43). The Plaintiff should send his discovery request to the attorney for the Defendants and not file them with the Court. Once the discovery requests have been made, the opposing party has 30 days within which to respond. Should there be a failure to properly respond, the Plaintiff may send a request to the Magistrate Judge for a telephone conference about the matter.

It is so ORDERED.

/s/ Joe B. Brown
JOE B. BROWN
United States Magistrate Judge